

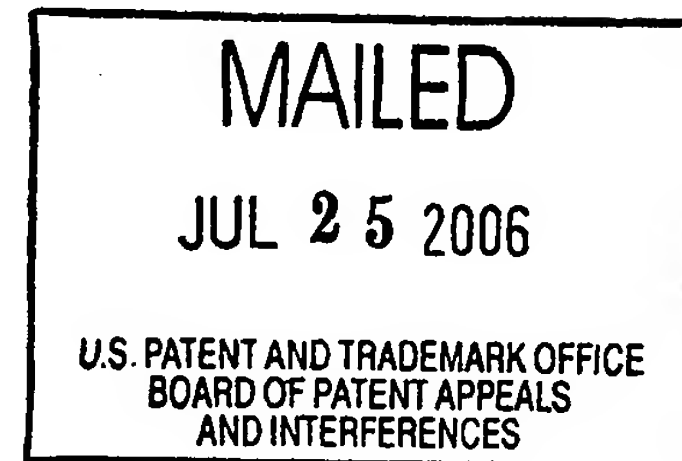
The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte NABIL ENRIQUE SALMAN, STEFANO MICHELE SINIGAGLIA,
ANDREW LLOYD BOUTHILET, ROBERT PAUL CASSONI, PABLO IBARRA and
JOSE MAURICIO BERRIZBEITIA

Appeal No. 2006-0804
Application No. 10/010,391
Technology Center 3700



ORDER REMANDING TO THE EXAMINER

Before FRANKFORT, OWENS and BAHR, *Administrative Patent Judges*.

BAHR, *Administrative Patent Judge*.

This application is remanded to the examiner pursuant to 37 CFR § 41.50(a)(1) for appropriate action with regard to the following matter.

The electronic file contains a "PETITION TO DELETE INVENTORS UNDER 37 CFR § 1.48(b)" filed March 16, 2004 requesting that inventor Andrew Lloyd Bouthilet be deleted as an inventor. We do not find a subsequent decision on this petition in the electronic file and, according to the United States Patent and Trademark Office (USPTO) records, this inventor's name remains on the application.

Additionally, we note that a similar petition requesting deletion of an inventor was filed in related Application No. 09/745,702, identified on page 1 of appellants' appeal brief in the present application as a related appeal. Application No. 09/745,702 was returned by the Board of

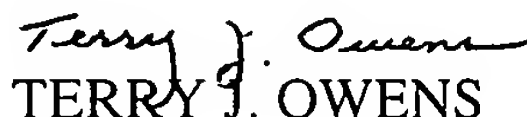
Patent Appeals and Interferences to the examiner on April 3, 2006 for processing of the petition and the electronic file for that application indicates that the petition in that application has not yet been processed.

In light of the above, and the common subject matter and evidence involved in the appeal in the present application and that of the above-mentioned related application, the present application is being returned to the examiner to have the above-discussed petition processed along with the petition in the above-identified related application.

This remand to the examiner pursuant to 37 CFR § 41.50(a)(1) (effective September 13, 2004, 69 Fed. Reg. 49960 (August 12, 2004), 1286 Off. Gaz. Pat. Office 21 (September 7, 2004)) is not made for further consideration of a rejection. Accordingly, 37 CFR § 41.50(a)(2) does not apply.

REMANDED


CHARLES E. FRANKFORT
Administrative Patent Judge


TERRY J. OWENS
Administrative Patent Judge


JENNIFER D. BAHR
Administrative Patent Judge

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